

Gaudet July 2, 2009 deposition confirming his witness signature on the 2004 Hawai'i loan agreement & threats from Jowdy's people...

Immediately Gaudet confirms his signature – despite the *heavy-handed question* –

7 Q. All right. I want you to take a minute to think  
8 about this question before you answer it and then provide  
9 your sworn testimony for the Court. ←

Clear intimidation

10 Did you sign this document in December 2004?

11 A. Yes.

Gaudet confirms meeting with Kaiser – *discussing the loan agreement* --

20 Q. Okay. When did you speak with John Kaiser about  
21 this litigation?

22 A. Couple months ago.

Gaudet confirms just he and Kaiser at the meeting --

8 Q. Was anyone else present during that conversation?

9 A. I believe it was just myself and John Kaiser.

Gaudet confirms he was a friend with Kaiser at the time of the July 2009 deposition --

19 Q. Are you and Mr. Kaiser friends?

20 A. We have a friendship, yes.

Gaudet confirms that Kaiser wanted confirmation that Gaudet – in fact – signed the loan agreement as a witness –

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5 During this meeting with Mr. Kaiser, did  
6 you -- did you discuss at all the loan -- this loan  
7 agreement document, Exhibit 1?  
8 A. He asked me if I could recall anything, yes.

The 2004 Hawaii-Jowdy loan agreement; also 3500-KJ-2 at 24-25

23 Q. Tell me everything you remember about what you  
24 said in this discussion about the loan agreement document.  
25 A. With John Kaiser?

22

1 Q. With John Kaiser, right.

2 A. I don't recall.

3 Q. The only thing you recall is that he mentioned  
4 the existence of this document?

5 A. Yes.

6 Q. Did he ask you if you remembered signing it?

7 A. Yes.

8 Q. And what did you tell him?

9 A. I told him what I mentioned to you earlier, that  
10 I recall signing as a witness to a document.

Kaiser confirms his involvement in the creation of the loan agreement to Gaudet –

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15 Q. Did he mention that he had any involvement with  
16 the creation of this loan agreement document?

17 A. Yes.

18 Q. What did he tell you?

19 A. He told me it was a document that he needed

20 for -- it was a document he had for the Hawaii entity, for  
21 the Hawaii company.



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25 Q. Did you know what document he was talking about?

23

1 A. He had referred to it as a loan document.

2 Could you repeat that question so I can just  
3 be accurate for you?

4 Q. Yeah. I just -- I just wanted to know if you  
5 knew what he -- what document he was talking about in the  
6 conversation.

7 A. Yes.

8 Q. What document did you understand him to be  
9 talking about?

10 A. I got this document or I received this document  
11 through two different persons. One was Tom Harvey and one  
12 was Fernando Garcia.

Kaiser raised the issue about the loan agreement first --

9 Q. Who first brought up the topic of the loan  
10 document during this meeting?

11 A. John.

Kaiser confirmed that he had a copy from Kenner and Gaudet again confirmed he signed the loan agreement --

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9 Q. Did he say that he had been -- that he had kept  
10 the document in his possession or in his files?

11 A. Yes.

12 Q. What do you remember him saying about that?

13 A. He said he wished he would have brought a copy  
14 with him. And I said not to worry, because I've got a  
15 copy which I received, again, from Harvey and -- and  
16 Garcia, and that all I know is my signature is on it.

17 That's my signature.



Gaudet confirms having to testify multiple times in México for the cases versus Jowdy since the cases were "***tampered with***". Jowdy's attorneys took surveillance photos of Kenner and Gaudet on the date of testimonies while having them followed & harassed (***like deVries and Murray were during later 2012-13 testimony in Cabo México***) and presented to him, so Gaudet would know he was being watched in his hometown of Cabo México.

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11 Q. BY MR. LAKE: Mr. Gaudet, I'm showing you a  
12 photograph that was taken on June 15th of this year, a few  
13 weeks ago.

14 A. Uh-huh.

15 Q. Do you recognize any of the people in this photo?

16 A. Kind of a blurry image.

17 Q. It is.

18 Well, I'll represent to you that this is a  
19 photograph taken of you and Mr. Kenner outside the  
20 Attorney General's Office in Los Cabos on June 15th.

21 Does that refresh your recollection, that  
22 you in fact were swearing -- or giving sworn testimony in  
23 support of Mr. Kenner's criminal action just a few weeks  
24 ago?

25 A. We were -- I gave my testimony, as I mentioned

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1 earlier, one about nine months ago and one about four  
2 months ago. And I was requested by the attorney to come  
3 back to the office to do -- again, I don't think it was a  
4 brand-new testimony, but it was --

5 The -- the attorney had mentioned to me that  
6 someone had paid off -- what do you call it -- a  
7 government official, so they had to do the filing again.

Clear  
intimidation  
tactics

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Pay off confirmed –

8 Q. Who paid off a government official?

9 A. I don't know. Somebody paid off a government  
10 official, so the initial filing had to be redone. So the  
11 two filings that I said I had done had to be redone.

12 Q. And you're talking now about the criminal  
13 complaint brought by Mr. Kenner and some other investors?

14 A. I believe that's what it was, yes.

Gaudet confirms that Kaiser was the person who asked Kenner to put the loan agreement with Jowdy in writing –

15 Q. During that conversation with Mr. Kaiser, did he  
16 tell you anything about that he was the one who told  
17 Mr. Kenner that he should put the agreement in writing?

18 A. Repeat that one for me again.

19 Q. I just want to know if you remember him saying  
20 anything about the fact that he told Mr. Kenner that  
21 Mr. Kenner should put the agreement in writing.

22 Did he ever mention that to you?

23 A. Not in those words. But he did mention something

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24 that -- he did mention something to that effect.